

Application No. 09/869,884
Submission with RCE filed 03/07/2005

Attorney's Docket No. 0119-067

REMARKS

Claims 1-11 are pending. Claims 1 and 3-6 have been amended. Claims 7-11 are new. The new claims are directed to features that are described on pages 4 and 5, for example, of this application.

In the final Office Action, claims 1-6 were again rejected under 35 U.S.C. § 102(b) for anticipation by International Publication No. WO 97/45814 by Vazvan ("Vazvan"). It is respectfully submitted that Vazvan did not anticipate those claims and does not anticipate current claims 1-11 at least because Vazvan does not teach a combination of service notification messages broadcast into one region and an identification process localised to a sub region of the broadcast region. In addition, Vazvan does not teach a directional antenna or receiver. Further with respect to claims 3 and 5, Vazvan does not teach a broadcast antenna, and even further with respect to new claims 8, 10, and 11, Vazvan does not teach switching from broadcasting service notification messages to conducting the directional identification process.

The final Action mis-reads Vazvan when it cites, on page 3, to p. 6, ll. 18-30; p. 7, ll. 22-24; and p. 8, l. 41 - p. 9, l. 4, for disclosure of an identification process carried out in a localised region of a larger broadcast region using a directional antenna or receiver. The cited lines on Vazvan's page 6 speak of "broadcasting/transmitting details" and say nothing about a localised identification process or directional antennas. Similarly, the cited lines on Vazvan's page 7 speak of "details transmitted/broadcast over the air interface" and also say nothing about a localised identification process or directional antennas. The cited lines on pages 8 and 9 state merely that a machine may be "equipped . . . to send the service provider's . . . details . . . for example continuously or whenever the customer appears in front of the machine or activates a button on the machine". These lines may say something about avoiding transmissions when no customers are present, but they also say nothing about a localised identification process or directional antennas.

That Vazvan does not teach localisation of identification in a sub region of a larger broadcast region or directional antennas or receivers should not be surprising. To the extent that Vazvan indicates any awareness of possible interference between competing local services, Vazvan relies on the proximity of the transmitter and receiver to handle this problem. See, e.g., p. 5, ll. 22-25; and p. 7, ll. 26-33. Applicant has taken

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a different approach, which has the significant benefit that the availability of a service can be announced in an area larger than the area in which the service can be engaged. Thus, more potential customers can be made aware of the service's availability without confusion. See, e.g., pages 1 and 2 of the written description of this application.

Vazvan's failure to teach the features noted above also makes it not surprising that Vazvan fails to teach other features required by Applicant's claims, for example, a combination of a directional antenna and a broadcast antenna, as defined by claims 3 and 5, and switching from broadcasting service notification messages to conducting the localised identification process, as defined by claims 8, 10, and 11. Since Vazvan fails to disclose every feature of the claims for at least the above reasons, the claims cannot be anticipated by Vazvan.

This application is believed to be in condition for allowance. An early Notice of same is respectfully solicited. If the Examiner has any questions, the undersigned attorney may be telephoned at the number given below.

Respectfully submitted,



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